

ARTICLE 27

SIGN REGULATIONS

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SECTION 27-1 PURPOSE

27-101. The purpose of this article is to regulate the size and use of signs, billboards, and other advertising devices; to prohibit or restrict signs, billboards and other advertising devices in districts where commercial and industrial activities are prohibited, and to control their location, size, number and type in districts where the same are permitted. It is the further purpose of this article to permit only those signs which are essential for the reasonable conduct of business and industry and to prevent needless clutter from the use of an unreasonable number, location, size, or illumination of signs.

Any sign, billboard, or other device which shall direct attention to any object, project, place, activity, person, institution, organization, or business erected, placed upon, or attached thereto any structure or land shall conform to the requirements of this article.

SECTION 27-2 LICENSES, BONDS, PERMITS AND INSPECTIONS

27-201. All signs regulated by this article shall be erected, installed and placed upon the property by a sign contractor, licensed by the City of Emporia, except for those signs which are installed by the owner of the property. No sign shall be erected until a valid sign permit has been issued by the zoning administrator.

a. License. Any person or firm desiring to erect signs shall make application for a license on forms provided by the zoning administrator. The applicant shall provide all information requested.

b. Bond. Before issuance of a sign contractor's license may be made, the applicant shall submit a surety bond in the amount of \$5,000 approved by the Zoning Administrator, conditioned that the principal will comply with all provisions of these regulations relating to sign construction and installation, and further conditioned that the city, or any person that may be injured or damaged by the principal's failure to comply with such ordinances, may sue on such bond to recover damages.

c. A surety shall give notice in writing of bond cancellation to the Zoning Administrator. Said cancellation shall take effect ten (10) days after receipt of such notice; however, such surety shall remain liable for any injury or damage incurred prior to the effective date of such cancellation. In case of such cancellation, the principal shall be required to file another bond conforming with the requirements of this article prior to performing any work.

d. Issuance and renewal. Upon receipt of an application in proper form, the payment of the fee, the bond as required, the Zoning Administrator shall issue a license pursuant to the provisions of these regulations. The license for a sign contractor shall be an annual license; it and the bond shall expire on December 31 following its issuance. The license shall be renewable each year upon payment of the prescribed license fee as set forth in the fee ordinance and submission of the required bond.

e. Permit and Fee. To obtain permits for erecting a sign, the applicant shall first furnish to

the Zoning Administrator all pertinent data on forms or as required by the Zoning Administrator prior to commencing work. Each sign shall require a separate permit and fee. The fee amount for any license or permit required by this Article shall be as set forth in the fee ordinance.

f. Inspection. An inspection shall be requested by the sign contractor for the zoning administrator to inspect signs upon completion of installation.

SECTION 27-3 GENERAL REGULATIONS

27-301. a. All signs erected under the provisions of this article shall comply with the construction requirements and other structural regulations of these regulations. No sign shall be erected, enlarged, constructed or otherwise installed without first obtaining a sign permit.

b. In all districts where canopies or marquees projecting over public property may be erected, signs may be suspended from such canopy or marquee, provided that an application accompanied by detailed plans shall be submitted to and approved by the Zoning Administrator before erection of the sign. Prior to approving such application, the Zoning Administrator must find that said sign conforms with the following requirements:

1. The sign is essential for the reasonable conduct of business or industry.
2. The sign projects no more than six (6) feet from the facade of a structure located on this property line, or where the structure is set back from the property line, the sign projects no more than six (6) feet over a public way.
3. The sign shall have a minimum clearance no less than eight (8) feet above the level of the public or private way beneath it.
4. The sign conforms with the district requirements restricting square footage and number of signs.

c. In all districts where awnings projecting over public property may be erected, signage may be permitted upon such awning, provided that an application accompanied by detailed plans shall be submitted to and approved by the zoning administrator. The Zoning Administrator must find that the proposed signage conforms with the following requirements:

1. Signage is restricted to the name, function or logo of the business.
2. The signage conforms with the district regulations restricting square footage and numbers of signs in the area.
3. Signage is limited to the front surface of the awning.
4. The signage is an integral part of the design of the awning or is painted or sewn onto such awning.

5. Signs may also be suspended from fixed awnings provided that they project no more than six (6) feet over the public way, are at least eight (8) feet above the public way and conform with the district regulations restricting square footage and numbers of signs, and that such sign is essential for reasonable conduct of the business.

d. In all districts where mansard roofs projecting over public property may be erected, signs may be erected upon such mansard, provided that an application accompanied by detailed plans shall be submitted to and approved by the zoning administrator. The Zoning Administrator must find that said sign conforms with the following requirements:

1. The sign does not project beyond the leading edge of the mansard.
2. The sign must be at least twenty-four (24) inches above the bottom of the mansard.
3. The sign is not more than twelve (12) inches in thickness.
4. The sign does not project from the mansard more than the thickness of the sign.
5. The sign does not project above the top of the mansard.
6. The sign is not more than four (4) feet in height.
7. The sign conforms with the district requirements restricting square footage and number of signs.

e. Wall or facade signs shall not project more than eight (8) inches over public property.

f. A sign located within three (3) feet of a driveway intersection or parking area, or within fifty (50) feet of a street or an alley, shall have a minimum clearance no less than eight (8) feet above curb level.

g. Business or advertising signs located in or within fifty (50) feet of a residential zoned district shall be affixed to or be a part of the structure of a building.

SECTION 27-4 EXEMPTIONS

27-401. The provisions of this article, including the requirement of permits, shall not apply to the following signs: provided, however, that such signs shall be subject to the provisions of Section 27-5 of this article. Signs exempted by this section shall not be included as part of the calculation of maximum square footage of signs for the property upon which exempt signs are located.

a. Real estate signs not exceeding four (4) square feet in area which advertise the sale, rental

or lease of the premises upon which said signs are located.

Real estate directional signs not exceeding (2.5) square feet in area and meeting the following requirements:

1. All metal construction with a weatherproof covering.
 2. Sign shall not contain words or phrases that could create traffic hazards, such as "stop", "look", "drive-in", "danger", or other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic.
 3. No more than (1) one sign shall be erected per intersection.
 4. Sign shall only be erected on private property with the expressed written consent of the property owner.
 5. No sign shall project into or be placed on public property.
 6. Sign shall not interfere with the visibility of traffic. Any sign interfering with traffic shall be removed immediately upon request of the Zoning Administrator.
 7. Sign shall not exceed (3) three feet in height.
- b. Temporary signs not more than six (6) square feet in area.
- c. Signs painted upon or affixed to the windows of a building or structure or visible through a window.
- d. Professional name plates not exceeding one (1) square foot in area.
- e. Signs denoting the architect, contractor, engineer, lender or owner, when placed upon work under construction and not exceeding sixteen (16) square feet in area.
- f. Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material.
- g. Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such temporary or emergency signs as may be approved by the Traffic Safety Committee or Governing Body.
- h. Political signs considered as temporary signs.
- i. Banners or other representation used to direct attention to a public, commercial or industrial area, or an event located in such areas, provided that plans indicating size, type, location and duration are presented by an organized group of businesses or a civic organization and approved by the Site Plan Review Committee of the City of Emporia.
- j. Enter and exit signs not exceeding six (6) square feet in area. Any such sign which includes a company or business logo, name or similar description shall not qualify as an exempt sign.

k. Drive through restaurant menu boards, each not exceeding twenty (20) square feet in area or eight (8) feet in height.

l. Display of pennants and flags by a business at their business location provided said pennants or flags comply with the maintenance and visual blight requirements of Section 27-2101.

SECTION 27-5 REMOVAL

27-501. a. Any sign which no longer advertises a bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent or person having beneficial use of the building or structure or land upon which the sign is located within forty-five (45) days.

b. Any sign which becomes dilapidated, out of order, out of level, decayed, corroded, rotten or unsafe shall be repaired or removed.

c. In the event of failure of the owner or person having control of signs as specified in this section to comply with the notice to remove or repair said sign, the sign may be removed by the city at the expense of the owner or persons having control of the sign, or of the owner of the property upon which such sign is located. The cost of removing such sign shall be levied against the lot or tract of land upon which sign is located in the manner provided by law for assessment and levy of other special taxes.

SECTION 27-6 OBSTRUCTION TO DOORS, WINDOWS OR FIRE ESCAPES

27-601. No sign shall be erected or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a fire escape.

SECTION 27-7 TRAFFIC HAZARDS

27-701. No sign regulated by these regulations shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision. No sign regulated by these regulations shall be erected at any location where by reason of the position, shape or color, it may interfere with or obstruct the view of, or be confused with, any authorized traffic sign, signal or device. No sign regulated by these regulations shall be erected if it makes use of the words "stop", "look", "drive-in", "danger", or other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic. No flashing or revolving sign shall be erected without special approval of the governing body.

SECTION 27-8 OBSCENE MATTER

27-801. It shall be deemed a violation of these regulations for any person to display upon any sign any matter found to be obscene under State law or City ordinance.

SECTION 27-9 SPOTLIGHTS OR FLOODLIGHTS ON SIGNS OVER PUBLIC

PROPERTY

27-901. It shall be unlawful for any person to maintain any sign which extends over public property which is wholly or partially illuminated by floodlights or spotlights.

SECTION 27-10 WIND PRESSURE REQUIREMENTS

27-1001. Unless otherwise specified in these regulations, all signs shall be designed and constructed to withstand a wind pressure of not less than forty (40) pounds per square foot of area.

SECTION 27-11 LIGHT REFLECTION

27-1101. Lights shall be permitted on pole signs, roof signs, wall signs, and billboards; provided that the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent properties.

SECTION 27-12 ILLUMINATED SIGNS

27-1201. All illuminated signs shall be subject to the provisions of the city's electrical code.

SECTION 27-13 PROHIBITED SIGNS

27-1301. The following signs are prohibited in all zoning districts:

- a. Portable signs, being any signs not permanently attached to a structure or the ground, except when meeting all conditions for and considered as a temporary sign.
- b. Swinging signs.
- c. No sign shall be erected, placed, maintained or supported upon the street, alley, sidewalk or other public property without special approval of the governing body.
- d. Changeable copy or flashing signs on a licensed motor vehicle or trailer.
- e. Any sign attached, mounted, placed or painted on any unlicensed motor vehicle or trailer.

SECTION 27-14 USE OF PLASTICS

27-1401. Combustible plastics may be used in the construction of letters, decorations and facings of any sign; provided that such plastics when so used shall burn no faster than two and one-half (2 2) inches per minute in six one-hundredths (0.06) inches thickness, when tested in accordance with A.S.T.M. Standard Method Test for Flammability of Plastics over Five One-Hundredths Inches Thickness.

SECTION 27-15 METHOD OF MEASUREMENT

27-1501. In all cases the size, dimensions, elevation and projection of signs erected, located or suspended under the provisions of these regulations shall be ascertained as follows:

- a. The size and dimension by measuring from edge to edge thereof, including ornamentation.
- b. The projection over public property by measuring from the lot line to the outer edge thereof, including ornamentation.
- c. The elevation by measuring from the highest ground level to the lowest edge thereof, including ornamentation.
- d. The height by measuring from the average grade of the lot to the upper edge of the sign, including ornamentation.
- e. The number per frontage by determining which street the face of the sign is most visible from. Pole signs with two faces shall count as one sign.
- f. A sign consisting of individual letters to spell a word or name shall be considered as a single sign and each letter shall be measured individually to compute size and area.

SECTION 27-16 POLE SIGNS

27-1601. The following regulations shall apply to pole signs:

- a. All pole signs shall be constructed of noncombustible material, except as follows:
 - (1) Approved plastics may be used as provided by Section 27-14.
 - (2) Temporary signs less than ten (10) feet in height and located at least two (2) feet from any building, property line or other sign may be constructed of combustible material.
 - (3) Combustible structural trim may be used on all signs.
- b. All letters, figures, characters and representations in cut-out or irregular form maintained in conjunction with, attached to or superimposed on any sign shall be safely and securely built or attached to the sign structure.
- c. Pole signs shall have an open space not less than two (2) feet between the base line of said sign and the highest pole level. The open space may be filled with a decorative lattice work of noncombustible material which does not close off more than one-half (1/2) of any square foot

of such open space.

- d. No pole sign shall extend beyond the property line.
- e. All pole signs shall be adequately supported and braced and guyed.
- f. All pole signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, free and clear of all obnoxious substances, rubbish and weeds.

SECTION 27-17 ROOF SIGNS

27-1701. The following regulations shall apply to roof signs:

- a. Every roof sign, including the supports and braces thereof, shall be constructed entirely of noncombustible materials; provided that approved plastics, as provided for in Section 27-14 and combustible structural trim, may be used thereon.
- b. No roof sign over four (4) feet in height shall be erected or maintained with the face thereof nearer than five (5) feet to the outside wall toward which the sign faces.
- c. All roof signs shall have a space at least two (2) feet in height between the base of the sign and the roof level, and shall have at least five (5) feet clearance between the vertical supports.
- d. Every roof sign shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods, or braces.

SECTION 27-18 PROJECTING SIGNS

27-1801. Projecting signs may be erected subject to the following conditions and requirements:

- a. For the purpose of this article, signs affixed to or suspended from canopies or marquees shall be considered as projecting signs
- b. All projecting signs shall be constructed of noncombustible material; provided that approved plastics, as provided for by Section 27-14, and combustible structural trim, may be used thereon.
- c. All letters, figures, characters and representations in cut-out or irregular form, maintained in conjunction with, attached or superimposed on any sign shall be safely and securely built or attached to the sign structure.
- d. No projecting sign shall be erected closer to the property of another person than the distance the sign projects from its support.

- e. All projecting signs exceeding fifteen (15) square feet in single face area shall be constructed entirely of metal or material of similar strength properties.
- f. No projecting sign shall be maintained less than eight (8) feet above the highest ground level over which it is erected.
- g. Every projecting sign shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods or braces.

SECTION 27-19 WALL SIGNS

27-1901. Wall signs may be erected subject to the following conditions and requirements:

- a. All wall signs shall be constructed of noncombustible material; provided that approved plastics, as provided for by Section 27-14, and combustible structural trim, may be used thereon, provided wall signs may be of combustible material when the wall to which they are attached is or can be of combustible material.
- b. No wall sign shall wholly or partially cover any wall opening, and it shall not project beyond the ends or top of the wall to which it is attached.
- c. No wall sign which projects more than four (4) inches, or more than six (6) inches if the sign has rounded corners and edges, or other protective measures are taken, shall be attached to a wall at a height of less than eight (8) feet above the sidewalk or highest ground level adjacent to such sign, and shall not project more than eight (8) inches over public property
- d. No wall sign shall be erected so as to prevent free ingress to or egress from any door, window or fire escape.
- e. All wall signs shall be safely and securely attached to the building wall.

SECTION 27-20 BILLBOARDS

27-2001. Bill boards may be erected subject to the following conditions and regulations:

- a. No billboard shall be erected, altered, constructed, reconstructed or moved until application and plans have been filed with and approved by the Zoning Administrator by issuance of a written permit.
- b. No billboard constructed entirely of combustible materials shall be erected to a height exceeding fourteen (14) feet above ground level, provided that, when facing and supports are constructed of noncombustible materials (except that the battens, ornamental moldings and decorative latticework may be of combustible materials), said billboard may be erected to a height not exceeding thirty (30) feet above ground level in any location where billboards are

permitted by these regulations.

- c. Billboards shall not be located closer than fifty (50) feet from any property line.
- d. The owner, lessee or manager of a billboard, and the owner of the land on which it is located, shall maintain and keep the ground area around the sign clean, sanitary, inoffensive and free and clean of weeds and noxious substances.
- e. No billboard shall be located within five (5) feet of a building, unless attached to the building.
- f. Billboards shall have all support posts set in concrete or be supported by other means providing similar strength and support.

SECTION 27-21 TEMPORARY SIGNS

27-2101. Temporary Signs. Each business establishment may display one temporary sign not to exceed twenty-four (24) square feet without obtaining a permit. Such temporary sign shall be maintained in good condition. Any sign determined by the Zoning Administrator to be a visual blight shall be removed. Additional temporary signs may be erected subject to the following conditions and regulations:

- a. Permits are obtained and fees are paid as required by Section 27-2.
- b. Each temporary sign after the first shall require a separate permit and fee.
- c. All temporary sign permits expire one year from date of issuance.
- d. No temporary sign, except on approval by the Site Plan Review Committee, shall extend over or into any street, alley, sidewalk or other public thoroughfare. It shall not obstruct any wall opening.
- e. All temporary signs shall be securely fastened to the ground or supporting structure in a manner approved by the Zoning Administrator.
- f. All electrical cords to such sign shall be located so as not to expose them to physical damage. No such electrical cord shall be laid upon any sidewalk, driveway or parking lot. All such wiring shall be subject to the electrical code of the city.
- g. All such signs shall be subject to Section 27-6, "Obstruction to doors, windows, or fire escapes", and Section 27-7, "Traffic hazards".
- h. At the discretion of the Sight Plan Review Committee, temporary signs larger than twenty-four (24) square feet may be allowed.

SECTION 27-22 RESERVED FOR FUTURE USE

SECTION 27-23 CHANGEABLE COPY SIGNS

27-2301. Changeable copy signs located in zoning districts which allow only business signs may also advertise events or activities of noncommercial nature.

SECTION 27-24 CONSTRUCTION AND LOCATION

27-2401. All signs shall be constructed, designed and located in accordance with the provisions of these regulations, and any other city laws relating to signs.

SECTION 27-25 SIGNS PERMITTED IN THE “A-L”, “R-1”, “R-2” and “R-3” DISTRICTS

27-2501. Only the following signs are permitted in the "A-L", "R-1", "R-2" and "R-3" districts.

- a. Unilluminated name plates, when required by law, for home occupations, provided such sign shall be fixed flat against a building wall and shall not exceed two (2) square feet in area.
- b. Unilluminated "For Sale" and "For Rent" signs provided:
 1. No more than one (1) such sign permitted per lot.
 2. No sign shall exceed four (4) square feet in area.
 3. Such signs shall not be located in street or alley right-of-way and must be five (5) feet from any property line.
 4. Sign shall be securely anchored and not exceed six (6) feet in total height.
- c. Identification signs for apartment complexes and churches provided:
 1. No more than one (1) sign not exceeding thirty-two (32) square feet in area for each street frontage.
 2. No signs shall be located within eight (8) feet of a side property line nor within five (5) feet of a front property line.
 3. No sign shall exceed eight (8) feet in overall height.
 4. Signs may be affixed flat against a wall of the structure provided they do not project above the roof level.
- d. Temporary signs, not exceeding one hundred (100) square feet in area, identifying

subdivisions or other development areas conforming with the location requirements in item (c) above may be permitted by the Zoning Administrator, provided that such signs are removed when the last lot is sold or development completed.

e. Permanent signs identifying subdivisions or other developments not exceeding eight (8) feet in height nor thirty-two (32) square feet in area.

SECTION 27-26 SIGNS PERMITTED IN THE C-1 DISTRICT

27-2601. Only the following signs are permitted in the C-1 district:

a. All signs as set forth in 27-2501 a., b., d. and e.

b. All nonresidential uses shall be permitted one (1) sign for each establishment for each facade which fronts onto a public street and one (1) sign for each paved alley, which sign shall not exceed in total area two (2) times the lineal feet of frontage of the structure to which it is attached, and which sign shall be affixed flat against the facade and shall not project above the average roof level of said structure.

SECTION 27-27 SIGNS PERMITTED IN THE C-2 AND C-3 ZONING DISTRICTS

27-2701. Only the following business signs are permitted in the C-2 and C-3 districts:

a. 'For rent' or 'for sale' signs as set forth in 27-2501 a., b., d. and e.

b. There shall be no more than (2) signs permitted for each business for each side fronting a public street and one (1) sign per paved alley, with the total area of all signs not to exceed two (2) times the lineal front footage of the lot. Each side fronting a street or alley shall be considered separately.

c. No more than one (1) pole sign shall be permitted for each parcel street frontage. Parcels with more than one street frontage shall not erect more than one pole sign. For unified shopping centers see Section 27-2701.h.

d. No sign shall project over public property, except existing structures which are located within twelve (12) inches of the front property line may have one (1) projecting sign which projects no more than twenty-four (24) inches over public property.

e. Wall signs shall not project more than four (4) feet above the wall of the structure to which they are attached.

f. A roof sign shall not exceed one hundred fifty (150) square feet in area or extend more than ten (10) feet above the roof level to which it is attached.

g. Pole signs in the C-2 or C-3 districts shall not exceed a height of thirty (30) feet measured

from the average grade of the lot; provided that when a lot in a C-3 district fronts on a designated federal highway and the location of the area is more than two hundred fifty (250) feet from a residentially zoned district, the total height of the sign may be forty (40) feet.

h. In a unified shopping center in single ownership or control, one (1) additional sign may be erected to identify the center. The sign may be affixed to a structure or be a pole sign. The sign shall not display more than the name, location of the center and a list of businesses in the center. If a pole sign, the height shall not exceed the allowable height of pole signs for the district in which it is located, and the bottom edge of the sign shall be at least eight (8) feet above the ground level at the sign.

A unified shopping center may erect one additional pole sign on each street or interstate frontage containing 150 feet or more of frontage.

i. The Zoning Administrator may authorize an off-premise sign upon written request by the applicant providing substantial evidence that a business or the entrance to a business is not easily visible from an arterial or collector street located within 1000' of the business or the development in which such business is located. Such businesses must be located behind a structure or other visual obstacle or accessed by frontage or similar roads. Such signs shall be located along the direct route of travel to the business and shall display only the business name(s) served by the sign and the commercial development in which the business is located.

SECTION 27-28 SIGNS PERMITTED IN THE C-4 DISTRICT

27-2801. Only the following business or advertising signs may be permitted in the C-4 District:

a. No more than two (2) signs shall be permitted for each business establishment for each facade which fronts onto a public street and one (1) per paved alley.

b. No more than one (1) projecting sign will be allowed for each facade which fronts onto a public street, provided that the amount of projection over public property shall not exceed twenty (20) inches.

c. No more than one (1) pole sign shall be permitted for each business establishment. Pole signs shall be located so that no part of the sign projects over public property. They shall not extend more than thirty (30) feet above the average grade of the lot.

d. Wall or projecting signs shall not extend more than four (4) feet above the wall of the structure to which they are attached.

e. The total surface area of all signs serving each facade shall not exceed two (2) times the lineal feet of frontage of the lot. Each frontage onto a public street or alley shall be considered separately.

SECTION 27-29 SIGNS PERMITTED IN THE I-1 AND I-2 DISTRICTS

27-2901. Only the following advertising or business signs shall be permitted in the I-1 and I-2 districts:

- a. No more than two (2) signs shall be permitted for each establishment for each facade which fronts onto a public street and one (1) per paved alley.
- b. A sign shall not project over public property; provided that structures which are located on or within twelve (12) inches of the front property line may have one (1) projecting sign which projects no more than twenty-four (24) inches over public property.
- c. Pole signs shall be located so that no part of the sign extends over public property. They shall not extend more than thirty (30) feet above the average grade of the lot.
- d. Wall signs shall not project more than four (4) feet above the wall at the structure to which they are attached.
- e. A roof sign shall not exceed three hundred (300) square feet in surface area, and its highest point shall not extend more than twenty (20) feet above the roof level of the structure.
- f. The total surface of all signs serving each facade shall not exceed three (3) times the lineal feet of frontage of the lot. Each facade which fronts a public street or alley shall be considered separately.
- g. In addition to the signs listed in 27-3001a:f, billboards are allowed in the I-1 and I-2 districts subject to the following regulations:
 - 1. Billboards shall conform to the provisions applying to billboards in Section 27-20.
 - 2. Billboards shall not exceed thirty (30) feet in height above the average lot grade.
 - 3. Billboards shall not exceed one thousand (1,000) square feet in single face area, provided that when said billboard is erected within three hundred (300) feet of another billboard, neither shall have a face greater than five hundred (500) square feet.
 - 4. Billboards shall not be located closer than fifty (50) feet from any property line.
- h. A billboard erected on a roof shall be considered as a roof sign and shall be subject to the regulations in this district applying to roof signs.

SECTION 27-30 SIGNS PERMITTED IN THE MP AND MHS DISTRICTS

27-3001. Only the following signs are permitted in the MP and MHS districts:

One sign identifying the mobile home park, providing such sign shall not exceed twenty (20) square feet in surface area and shall not exceed eight (8) feet in height above the ground level.

Only the following signs may be permitted in zoning district: “MXD” as established by these regulations.

SECTION 27-31 NONCONFORMING SIGNS

27-3101. Signs, bulletin boards and billboards not in conformance with the provisions of this article may be continued, but no part of such signs, bulletin boards or billboards shall be replaced.

SECTION 27-33 DISCONTINUANCE OF SIGNS ON PUBLIC PROPERTY

27-3201. Signs, bulletin boards and billboards located on or above public property at the time of the passage of this article, except those specifically permitted herein or by the provision of any regulation of the city or county, shall be discontinued and removed within one (1) year after the effective date hereof; provided that this section shall not apply to signs belonging to public bodies and approved by the governing body, or authorized by law.

SECTION 27-33 APPEALS

27-3301. Any person affected by the application of the provisions of this article may appeal to the Board of Zoning Appeals for a variance.

SECTION 27-34 DEFINITIONS

27-3401. As used in this article and elsewhere in the ordinances of the City, unless the context otherwise indicates, the terms used herein shall be defined as follows:

- a. Advertising Sign. Shall mean any sign which directs attention to any goods, merchandise, property, business service, entertainment or amusement conducted, produced, bought, sold, furnished, offered or dealt in elsewhere than on the premises where such sign is located or to which it is affixed.
- b. Billboard. Shall mean and include any advertising sign, board or panel erected, constructed or maintained for the purpose of displaying posters, pictures, printed or painted advertising matter.
- c. Business Sign. Shall mean a sign which directs attention to a business or profession conducted or to products, services or entertainment sold or offered upon the premises where such sign is located or to which it is affixed. A '*for sale*' sign or a '*for rent*' sign relating to the property on which it is displayed shall be deemed a business sign.
- d. Erect. Shall mean to build, place, construct, attach, hang, suspend, alter, relocate or affix.

- e. Facing or Surface. Shall mean the surface of the sign upon, against or through which the message is displayed or illustrated on the sign.
- f. Flashing Sign. Shall mean any illuminated sign on which artificial lighting is alternately on and off or is not constant in intensity and color at all times.
- g. Incombustible Material. Shall mean any material which will not ignite at or below a temperature of one thousand two hundred (1,200) degrees Fahrenheit and which will not continue to burn or glow at that temperature.
- h. Pole Sign. Shall mean any sign not attached to a building, other than a billboard, erected upon and supported by the ground and affixed to the ground in a permanent manner.
- i. Projecting Sign. Shall mean any sign, other than a wall sign, suspended from or supported by a structure or building, and projecting out therefrom.
- j. Projection. Shall mean the distance by which a sign extends over public property.
- k. Revolving Sign. Shall mean any sign or portion thereof which is in motion and does not remain in a constant position.
- l. Roof Sign. Shall mean any sign erected, constructed and maintained upon or over the roof of any building with the principal support on the roof structure.
- m. Sign. Shall mean any sign, billboard or other device which shall display any letter, work, model, banner, flag, pennant, insignia, device, or representation used as, or which directs attention to, an object, project, place, activity, person, institution, organization or business, but shall not include any display of an official notice, flag, pennant, emblem or insignia less than 100 square feet in size of any nation, or groups of nations, or any state, city or political unit.
- n. Structural Trim. Shall mean the moldings, battens, cappings and nailing strips which are attached to the sign structure.
- o. Temporary Sign. Shall mean any sign, banner, pennant, special flag, balloon or other air or gas filled devices, or other attention-attracting devices intended for short-term usage.
- p. Vehicular Sign. Shall mean any sign attached to, mounted on, placed on, or painted on a licensed motor vehicle or trailer, designating the name, type, product, address or activity of a business.
- q. Wall Sign. Shall include all flat signs of solid face construction which are placed against a building or structure and attached to the exterior front, rear or side wall of any building or other structure.

